

**REMARKS**

The Office Action dated July 17, 2003, has been received and carefully noted. The amendments made herein and the following remarks are submitted as a full and complete response thereto.

Claims 1, 5 and 9 have been amended. Applicant submits that the amendments made herein are fully supported in the specification and the drawings as originally filed, and therefore no new matter has been added. In particular, it is submitted that the subject matter incorporated into the claims appears on pages 15-17 of specification. Accordingly, claims 1-12 are pending in the present application and are respectfully submitted for consideration.

Claims 1, 4, 5, 8, 9 and 12 were rejected under 35 U.S.C. § 102(e) as being anticipated by Moon (U.S. Patent No. 6,501,510B1). Applicant respectfully submits that each of claims 1, 4, 5, 8, 9 and 12 recites subject matter that is neither disclosed nor suggested by the cited prior art.

Claim 1 recites a television receiving method having the steps of providing a receiving section for digital television broadcasting and a receiving section for analog television broadcasting, judging, when a digital television broadcasting program is selected, whether or not an analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast, and receiving and outputting, in a case where the analog television broadcasting program having the same contents as those of the selected digital

television broadcasting program is being broadcast, the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program when the digital television broadcasting degrades such that an error rate corresponding to the digital television broadcasting exceeds a reference value.

Claim 5 recites a television receiver having a receiving section for digital television broadcasting, a receiving section for analog television broadcasting, and a switching means for switching an output of the receiving section for digital television broadcasting and an output of the receiving section for analog television broadcasting. In addition, the television receiver includes means for causing, when a digital television broadcasting program is selected, the receiving section for digital television broadcasting to receive the selected digital television broadcasting program, and controlling the switching means so as to select the output of the receiving section for digital television broadcasting, and judging whether or not an analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast. Furthermore, the television receiver has a means for causing, when the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast, the receiving section for analog television broadcasting to receive the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program when the digital television broadcasting degrades such that an error rate corresponding to the digital television

broadcasting exceeds a reference value, and means for controlling, in a case where the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast, the switching means so as to select the output of the receiving section for analog television broadcasting.

Claim 9 recites a television receiver substantially similar to the television receiver as recited in claim 5 with the exception that the television receiver of claim 9 includes a switching circuit, a circuit for causing, when a digital television broadcasting program is selected, the receiving section for digital television broadcasting to receive the selected digital television broadcasting program, controlling the switching circuit so as to select the output of the receiving section for digital television broadcasting, and judging whether or not an analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast, a circuit for causing, when the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast, the receiving section for analog television broadcasting to receive the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program when the digital television broadcasting degrades such that an error rate corresponding to the digital television broadcasting exceeds a reference value, and a circuit for controlling, in a case where the analog television broadcasting program having the same contents as those of the selected digital

television broadcasting program is being broadcast, the switching circuit so as to select the output of the receiving section for analog television broadcasting.

Accordingly, at least one of the essential features of the present invention is a means for causing, when the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast, the receiving section for analog television broadcasting to receive the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program when the digital television broadcasting degrades such that an error rate corresponding to the digital television broadcasting exceeds a reference value. As such, the present invention results in the advantage of automatically selecting and receiving high quality audio and video analog television broadcast having the same programming content as that of a selected digital television broadcast when the digital television broadcast is disrupted. Thus, the present invention provides a viewer with continuous program viewing without disruptions.

It is respectfully submitted that the prior art fails to disclose or suggest each and every element of the Applicant's invention as set forth in claims 1, 4, 5, 8, 9 and 12, and therefore fails to provide the advantages which are provided by the present application.

Moon discloses a digital/analog broadcast signal processing unit. Fig. 1 of Moon shows the digital/analog broadcast signal processing unit having an antenna 101, a tuner 102, a digital broadcast signal demodulator 103, a demultiplexer 104, an audio decoder 105, a video decoder 106, a format converter 107, an audio switching unit 108, an audio signal processor 109, an amplifier 110, a speaker 111, an analog broadcast

signal demodulator 112, a video switching unit 113, a TTX processor 114, and a controller 120.

The control unit 120 of Moon can be designed to give priority to the digital broadcast signal when the digital and analog broadcast signals are simultaneously received. When the digital broadcast signal is not detected, a switching control signal to automatically select the analog broadcast signal as the output to the second input port of the audio and video switching units 108 and 113 is generated. Therefore, either the decoded digital broadcast audio signal input via the first input port, or the demodulated analog broadcast audio signal via the second input port is selected by the audio switching unit 108 according to the switching control signal of the controller 120.

Applicant respectfully submits that each and every element recited within claims 1, 5 and 9 is neither disclosed nor suggested by Moon. In particular, Applicant submits that the television receiving method and the television receiver as recited in the present application is clearly distinct from that which is illustrated by the combination of the cited prior art. Specifically, it is submitted that the cited prior art fails to disclose or suggest at least the step of "receiving and outputting, in a case where the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast, the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program when the digital television broadcasting degrades such that an error rate corresponding to the digital television broadcasting exceeds a reference value" with respect to claim 1, and at least the limitations of a means for causing and a

circuit for causing, "when the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast, the receiving section for analog television broadcasting to receive the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program when the digital television broadcasting degrades such that an error rate corresponding to the digital television broadcasting exceeds a reference value" with respect to claims 5 and 9 respectively.

As mentioned above, Moon discloses a control unit 120 to give priority to the digital broadcast signal when the digital and analog broadcast signals are simultaneously received. However, Applicant submits that the control unit 120 of Moon is neither analogous nor comparable to the elements "a means for causing" and "a circuit for causing" as recited in the present application. Moreover, Applicant submits that the control unit 120 of Moon fails to provide the steps of receiving and outputting also recited in the present application. Since Moon merely give priority to the digital broadcast signal when the digital and analog broadcast signals are simultaneously received, Moon fails to disclose or suggest at least the step of "receiving and outputting, in a case where the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast, the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program when the digital television broadcasting degrades such that an error rate corresponding to the digital television broadcasting exceeds a reference value" with respect to claim 1, and at least the limitations of a

means for causing and a circuit for causing, "when the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program is being broadcast, the receiving section for analog television broadcasting to receive the analog television broadcasting program having the same contents as those of the selected digital television broadcasting program when the digital television broadcasting degrades such that an error rate corresponding to the digital television broadcasting exceeds a reference value" with respect to claims 5 and 9 respectively. Accordingly, Applicant submits that Moon fails to disclose or suggest each and every element recited within claims 1, 5 and 9 of the present application, and therefore each of claims 1, 5 and 9 is allowable.

As for claims 4, 8 and 12, it is submitted that claims 4, 8 and 12 depend from independent claims 1, 5 and 9, respectively. Therefore, Applicant submits that each of claims 4, 8 and 12 is also allowable due to its dependency from allowable claims 1, 5 and 9, respectively.

Claims 2, 6 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Moon in view of Eyer (U.S. Patent No. 6,483,547 B1), and claims 3, 7 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Moon in view of Yuen et al. (U.S. Patent No. 6,252,634, hereinafter "Yuen").

Applicants respectfully submit that each and every element recited within claims 2, 6 and 10 is neither disclosed nor suggested by Moon and/or Eyer, taken alone or in combination, and that each and every element recited within claims 3, 7 and 11 is neither disclosed nor suggested by Moon and/or Yuen, taken alone or in combination.

In particular, it is submitted that each of dependent claims 2, 3, 6, 7, 10 and 11 depends from independent claims 1, 5 and 9, respectively, and therefore each of dependent claims 2, 3, 6, 7, 10 and 11 also recites at least the above-mentioned step of "receiving and outputting..." and at least the above-mentioned limitations of a "means for causing..." and "a circuit for causing..." with respect to claims 1, 5 and 9, respectively.

Therefore, Applicant submits that each of claims 2, 3, 6, 7, 10 and 11 is also allowable due to its dependency from allowable claims 1, 5 and 9, respectively since the cited prior art fails to cure at least the above-mentioned deficient limitations.

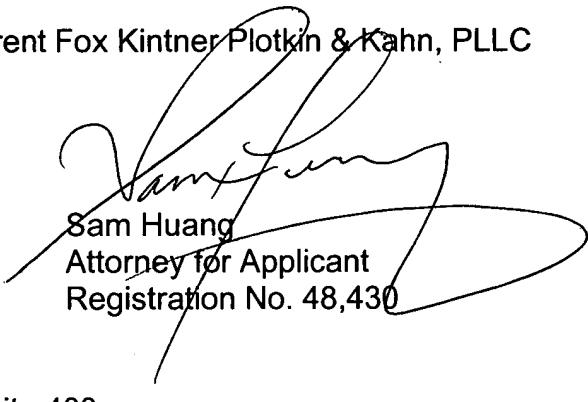
In view of the above, Applicant respectfully submits that claims 1-12, each recites subject matter that is neither disclosed nor suggested in the cited prior art. Applicant also submits that the subject matter is more than sufficient to render the claims non-obvious to a person of ordinary skill in the art, and therefore respectfully requests that claims 1-12 be found allowable and that this application be passed to issue.

If for any reason, the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper has not been timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300.

Respectfully submitted,

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